IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

ORIGINAL JURISDICTION

Dated: Nainital the 5th day of January 2005

Bail Application No. 1074 of 2004

Order on the Bail Application of the accused.

CRIMINAL SIDE

Govindi Devi,
D/o Shri Fakir Singh,
R/o Village Kanidhura,
Patti Dunakot,
Tehsil Didhihat,
District Pithoragar. ……Accused/Applicant

Versus

State of Uttaranchal ……..Opposite Party.

AND

Bail Application No. 1050 of 2004

Criminal Side

Motima Deiv
D/o Shri Fakir Singh,
R/o Village Kanidhura,
Patti Dunakot,Tehsil Didhihat,
District Pithoragar. ……Accused/Applicant

Versus

State of Uttaranchal ……..Opposite Party.

Case crime No. 1 of 2004
Under Sections 304 (B)IPC
Registered on the basis of FIR dated 12.10.2004
At Pattti Dunakot, Tehsil Didihat,
District-Pithoragarh.

BY THE COURT

Hon'ble J.C.S. Rawat, J.

Heard Sri Lokendra Dobhal learned counsel for the applicant and learned GA for the state.

Perused the record. Case diary was not produced by the prosecution in spite of repeated orders of the court. It was contended that the applicants Smt. Govindi Devi, aged about42 years is sister in law of the deceased and Smt. Motima Devi, aged about 65 years is the mother in law of the deceased.

It is contended that there is no evidence that the deceased was subjected to cruelty immediately before death for the dowry.

Considering the totality, under the facts and circumstance of the present case, let the accused/applicants be released in bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S.Rawat, J.)

Dated: 05.01.2005
P.S.R.